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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	CR 10-00731 LHK
	)	
Plaintiff,	)	STIPULATION AND [PROPOSED]
	)	ORDER CONTINUING STATUS
v.	)	CONFERENCE AND DOCUMENTING
	)	EXCLUSION OF TIME.
HAI MANH HOANG,	)	
	)	
Defendant.	)	

The defendant, Hai Manh Hoang, and the government together respectfully stipulate as follows:

1. A change of plea or status conference is currently scheduled in this matter on May 9, 2012, at 9:00 a.m.;
2. The parties hereby advise the Court that the parties are continuing to confer over the disposition of the matter. Additional facts have come to light during that discussion that require further inquiry by counsel for defendant Hoang. Counsel for defendant Hoang has also been involved in a significant trial;
3. The Court is not available May 16, 2012, or May 23, 2012.

Accordingly, the parties request that the Court set the matter for change of plea May 30,

2012, to enable continuity of defense counsel and to allow defense counsel to finish the necessary investigation. The parties therefore request that the Court set the matter for change of plea or status conference on May 30, 2012, at 9:00 a.m. The parties jointly request that the Court exclude the period of time between May 9, 2012, and May 30, 2012, under the Speedy Trial Act calculation for continuity of counsel and effective preparation of counsel, taking into account the exercise of due diligence. *See* 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

IT IS SO STIPULATED.

Dated: May 8, 2012

/s/  
\_\_\_\_\_  
RICHARD POINTER  
Counsel for Defendant

Dated: May 8, 2012

MELINDA HAAG  
United States Attorney

/s/  
\_\_\_\_\_  
MICHELLE J. KANE  
Assistant United States Attorney

### ORDER

Based upon the representation of counsel and for good cause shown, the Court finds that failing to exclude the time between May 9, 2012, and May 30, 2012, would unreasonably deny the defendant continuity of counsel and would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between May 9, 2012, and May 30, 2012, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, IT IS HEREBY ORDERED that the time between May 9, 2012, and May 30, 2012, shall be excluded

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1 from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) and the  
2 matter is set for change of plea May 30, 2012, at 9:00 a.m.

3 IT IS SO ORDERED.

4  
5 Dated: 5 / 9, 2012

  
LUCY H. KOH  
United States District Judge